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August 12, 2015

VIA ECF

Honorable Valerie E. Caproni
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: O.W. Bunker-Related Interpleader Actions (See Schedules 1 and 2)

Dear Judge Caproni:

We write on behalf of ING Bank N.V., as Security Agent ("ING Bank") in reference to the O.W. Bunker-related interpleader actions (the "Actions") set forth on Schedule 1 (the "Non-Stayed Actions") and 2 (the "Stayed Actions") to this letter.

The Court's June 30, 2015 omnibus conference order stayed litigation in the Stayed Actions until August 21, 2015 (the "June 30 Order").¹ Further to the June 30 Order, and to the proceedings at the July 31, 2015 teleconference concerning the status of discovery in the Non-Stayed Actions, in which the parties acknowledged that the circumstances requiring a stay of litigation in those matters remained in place, ING Bank respectfully requests an extension of the stay as detailed below.

As the Court is aware, O.W. Bunker Holding North America Inc., O.W. Bunker North America Inc. and O.W. Bunker USA Inc. (the "Debtors") are involved in a jointly administered chapter 11 bankruptcy proceeding pending in the United States Bankruptcy Court for the District of Connecticut. The Debtors, the Official Committee of Unsecured Creditors in the Debtors' chapter 11 cases, and ING continue to work towards the filing and confirmation of a bankruptcy plan that the Debtors believe would resolve many of the issues pending before Your Honor "*as they relate to the Debtors' relationships with their creditors.*" See Letter to Judge

¹ See Amended Order dated June 30, 2015 at ¶ 1 ("Apart from basic case management procedures, such as filing an Amended Complaint or effecting service on the named Defendants, litigation of these actions (the "Stayed Actions") shall be stayed until **August 21, 2015**. Any request to extend the stay past August 21, 2015 shall be filed with the Court no later than August 14, 2015.").

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Caproni from Davis Lee Wright dated July 28, 2015, *UPT Pool Ltd. v. Dynamic Oil Trading (Singapore) Pte Ltd. et al.*, U.S.D.C., S.D.N.Y., Case No. 14-cv-9262, ECF No. 81.

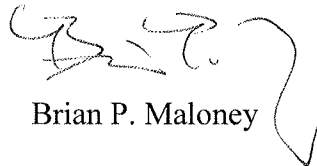
On August 4, 2015, the Bankruptcy Court presided over a status hearing as to the Debtors' bankruptcy proceeding, and entered a First Amended Scheduling Order on August 7, 2015 ("Scheduling Order"). Under the Scheduling Order (attached hereto as Exhibit 1):

- The Debtors are to file and serve a Chapter 11 Plan and Disclosure Statement on or before September 15, 2015; with objections due by September 30, 2015;
- A hearing concerning approval of the Disclosure Statement (and upon the Debtors' Motion to Approve Settlement Agreement that initially prompted the mediation process in the bankruptcy court) shall be held October 6, 2015;
- Ballots regarding the Chapter 11 Plan, and any objections to the Plan, are due November 10, 2015; and
- A hearing on confirmation of the Chapter 11 Plan shall be held November 18, 2015.

See Ex. 1 (Scheduling Order) at 1-2.

In light of this schedule, ING Bank respectfully requests that, apart from basic case management procedures, such as filing an Amended Complaint or effecting service on the named Defendants, litigation of the Stayed Actions set forth on Schedule 2 be stayed until **September 25, 2015**, and that any request to extend the stay past September 25, 2015 be filed with the Court no later than September 18, 2015.

Respectfully submitted,



Brian P. Maloney

Schedule 1
O.W. Bunker-Related Interpleader Matters
(Non-Stayed Actions)

1. *Birch Shipping Ltd. v. O.W. Bunker China Ltd. (HK), et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9282 (VEC)
2. *Clearlake Shipping Pte Ltd v. O.W. Bunker (Switzerland) SA, et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9287 (VEC)
3. *Bonny Gas Transport Limited v. O.W. Bunker Germany GmbH, et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9542 (VEC)
4. *SHV Gas Supply & Risk Management SAS v. O.W. Bunker USA Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9720 (VEC)
5. *Hapag-Lloyd Aktiengesellschaft v. U.S. Oil Trading LLC, et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9949 (VEC)
6. *OSG Ship Management, Inc. v. O.W. Bunker USA Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9973 (VEC)
7. *Hapag-Lloyd Aktiengesellschaft v. O'Rourke Marine Service L.P., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 10027 (VEC)
8. *NYK Bulk & Project Carriers Ltd v. O.W. Bunker USA Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 10090 (VEC)
9. *Nippon Kaisha Line Limited v. O.W. Bunker USA Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 10091 (VEC)
10. *Canpotex Shipping Services Limited v. O.W. Bunkers (UK) Limited, et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 1351 (VEC)
11. *SK Shipping Co., Ltd. v. NuStar Energy Services, Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 2141 (VEC)

Schedule 2
O.W. Bunker-Related Interpleader Matters
(Stayed Actions)

1. *UPT Pool Ltd. v. Dynamic Oil Trading (Singapore) Pte Ltd., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9262 (VEC)
2. *Clearlake Shipping Pte. Ltd. v. O.W. Bunker (Switzerland) SA, et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9286 (VEC)
3. *MT Cape Bird Tankschiffahrts GmbH & Co. KG, v. O.W. USA Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9646 (VEC)
4. *Conti 149 Conti Guinea v. O.W. Bunker Panama S.A., et al.*
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 10089 (VEC)
5. *Hapag-Lloyd Aktiengesellschaft v. O.W. Bunker North America, Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 190 (VEC)
6. *APL Co. Pte Ltd v. O.W. Bunker Far East (Singapore) Pte Ltd., et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 620 (VEC)
7. *Star Tankers Inc. v. O.W. Bunker Panama S.A., et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 2090 (VEC)
8. *Baere Maritime LLC v. O.W. Bunker Panama S.A., et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 2734 (VEC)
9. *Sigma Tankers Inc v. O.W. Bunker Panama S.A., et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 2733 (VEC)
10. *MSC Mediterranean Shipping Company S.A. v. O.W. Bunker North America Inc., et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 3221 (VEC)
11. *O.W. Bunker USA Inc. v. COSCO PIRAEUS, I.M.O. No. 9484364*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 3471 (VEC)
12. *O.W. Bunker USA Inc. v. M/V BAKKEDAL, in rem*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 3988 (VEC)
13. *Kawasaki Kisen Kaisha, Ltd. v. OW Bunker Middle East DMCC, et al.*
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 4138 (VEC)